

**REMARKS/ARGUMENTS**

Upon entry of the above amendment, claims 1-10 will have been amended to eliminate minor language informalities and will have been submitted for reconsideration by the Examiner. The amendments to the claims are not narrowing and thus do not give rise to any estoppel.

In view of the above, Applicant respectfully requests reconsideration of the outstanding rejections of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided, for the acceptance of the drawings filed in the present application on November 27, 2001, and for the acknowledgment of Applicant's claim for priority under 35 U.S.C. § 119 and receipt of the certified copies of the priority documents, in the Official Action. Applicant further notes with appreciation the Examiner's acknowledgment of Applicant's Information Disclosure Statement filed in the present application on March 8, 2002 by the return of the initialed and signed PTO-1449 Form, and for consideration of the documents cited in the Information Disclosure Statement.

Turning to the merits of the action, the Examiner has rejected claims 1-5 under 35 U.S.C. § 102(e) as being anticipated by BUDGE et al. (U.S. Patent No. 6,564,248). The Examiner has rejected claims 7-10 under 35 U.S.C. § 102(e) as being anticipated by ELLIOTT et al. (U.S. Patent No. 6,754,181). The Examiner has rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over BUDGE et al. (U.S. Patent No. 6,564,248) in view of ELLIOTT et al. (U.S. Patent No. 6,754,181).

As noted above, Applicant has amended claims 1-10 for consideration. Applicant respectfully traverses the above rejections based on pending claims 1-10 and will discuss said rejection with respect to the pending claims in the present application as will be set forth hereinbelow. The amended claims merely clarify the subject matter recited in the rejected claims, but do not narrow the scope of the claims.

Applicant's claims 1-3 generally relate to a dial-up Internet facsimile apparatus that includes a modem that makes dial-up connection to a service provider of e-mail via a telephone line and an operation section that has a stop button. The dial-up Internet facsimile apparatus comprises an e-mail reception section that receives e-mail data from the connected service provider and that, when the stop button is pressed while receiving the e-mail data, disconnects the connection to the service provider without waiting for the completion of the e-mail data reception. Claim 8 recites a related method.

Applicant's claims 4-6 generally relate to a dial-up Internet facsimile apparatus that includes a modem that makes a dial-up connection to a service provider of e-mail via a telephone line and an operation section that has a stop button. The dial-up Internet facsimile apparatus further includes an e-mail reception section that receives e-mail from the connected service provider and that, when the stop button is pressed while receiving the e-mail data, interrupts the reception of the e-mail data from the service provider without waiting for the completion of the e-mail data reception. The e-mail reception section proceeds to the reception of the next e-mail data after the interrupted e-mail data. Claim 9 recites a related method.

Applicant's claim 7 generally relate to a dial-up Internet facsimile apparatus that includes a modem that a makes dial-up connection to a service provider of e-mail via a telephone line. The dial-up Internet facsimile apparatus further includes an e-mail reception section that receives a size of e-mail data from the service provider before receiving the e-mail data, and eliminates e-mail over a predetermined size from e-mails to be received. Claim 10 recites a related method.

In direct contrast, BUDGE et al. (relied upon for the rejection of claims 1-5) relates to an e-mail system in which a sending subsystem combines video from a video camera and audio from a microphone into a message file, and transmits the message file to a receiving subsystem over a communications link. The receiving subsystem executes a video e-mail player program. The player program separates the video and audio portions of the message from the message file. The video portion is displayed and the audio portion is played on the receiving subsystem.

However, BUDGE et al. discloses a personal computer 10, but does not disclose a dial-up Internet facsimile apparatus (Fig.1). In BUDGE et al., the PC 10 is connected to a network interface 6, but does not include the network interface therein.

Further, col. 6, lines 3-5 of BUDGE et al. describes the STOP button 620. However, this disclosure portion relates to the virtual VCR and describes how to record a video e-mail message. The STOP button is utilized for stopping the recording. However, BUDGE et al. does not contain any disclosure about an e-mail reception section which, when the stop button is pressed while receiving the e-mail data, disconnects the connection to the service provider without waiting for the completion of the e-mail data reception. In other words, BUDGE et al. does not disclose a STOP

button utilized for disconnecting the connection to the service provider without waiting for the completion of the e-mail data reception, when the stop button is pressed while receiving the e-mail data.

On the other hand, the present invention relates to a dial-up Internet facsimile apparatus that includes a modem. The present invention recites, inter alia, an e-mail reception section which, when the stop button is pressed while receiving the e-mail data, disconnects the connection to the service provider without waiting for the completion of the e-mail data reception. The present invention also recites, inter alia, an e-mail reception section which, when the stop button is pressed while receiving the e-mail data, interrupts the reception of the e-mail from the service provider without waiting for the completion of the e-mail data reception, the e-mail reception section proceeding to the reception of the next e-mail data after the interrupted e-mail data. Further, the present invention recites, inter alia, an e-mail reception section which receives a size of e-mail data from the service provider before receiving the e-mail data, and eliminates e-mail over a predetermined size from e-mails to be received.

BUDGE et al. does not disclose or suggest the combination of features recited in the pending claims.

Therefore, it is respectfully submitted that the features recited in Applicant's claims 1-10 are not disclosed in or suggested by BUDGE et al. cited by the Examiner.

ELLIOTT et al. relates to a system in which telephone calls, data and other multimedia information is routed through a hybrid network. ELLIOTT et al. also teaches that the PC client can retrieve voice mail, fax mail, pages and e-mail messages that reside in the "universal inbox" (col. 180, lines 39-67 and col. 181, lines 1-11).

However, ELLIOTT et al. merely discloses message retrieval. ELLIOTT et al. also does not contain any disclosure about the stop button utilized for disconnecting the connection to the service provider without waiting for the completion of the e-mail data reception, when the stop button is pressed while receiving the e-mail data. Thus, ELLIOTT et al. does not disclose an e-mail reception section which, when the stop button is pressed while receiving the e-mail data, disconnects the connection to the service provider without waiting for the completion of the e-mail data reception.

ELLIOTT et al. also does not disclose receiving a size of e-mail data from the service provider before receiving the e-mail data and eliminating e-mail over a predetermined size from e-mails to be received, since ELLIOTT et al. merely discloses retrieving a message size.

On the other hand, the present invention relates to a dial-up Internet facsimile apparatus that includes a modem. The present invention recites, inter alia, an e-mail reception section which, when the stop button is pressed while receiving the e-mail data, disconnects the connection to the service provider without waiting for the completion of the e-mail data reception. The present invention also recites, inter alia, an e-mail reception section which, when the stop button is pressed while receiving the e-mail data, interrupts the reception of the e-mail from the service provider without waiting for the completion of the e-mail data reception, said e-mail reception section going to the reception of the next e-mail data after the interrupted e-mail data. Further, the present invention recites, inter alia, an e-mail reception section which receives a size of e-mail data from the service provider before receiving the e-mail data, and eliminates e-mail over a predetermined size from e-mails to be received.

ELLIOTT et al. does not disclose or suggest the combination of features recited in the pending claims.

Therefore, it is respectfully submitted that features recited in Applicant's claims 1-10 are not disclosed in or suggested by BUDGE et al. or ELLIOTT et al. cited by the Examiner. Thus, pending claims are also submitted to be patentable over the Examiner's proposed combination, since even the combination of BUDGE et al. and ELLIOTT et al. does not disclose the combination of the features recited in Applicant's claims 1-10.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and an indication of the allowability of all the claims pending in the present application, in due course.

**SUMMARY AND CONCLUSION**

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the rejected claims for consideration by the Examiner.

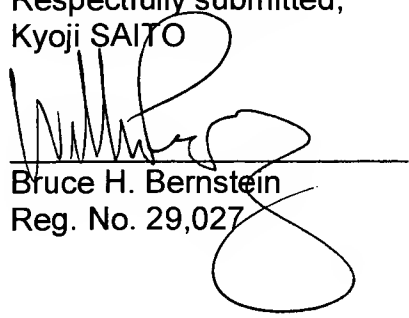
With respect to the pending claims, Applicant has pointed out the features thereof and have contrasted the features of the pending claims with the disclosures of the references. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all claims in the present application and respectfully requests an indication of the allowability of all the claims pending in the present application, in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

June 20, 2005  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Respectfully submitted,  
Kyoji SAITO

  
Bruce H. Bernstein  
Reg. No. 29,027

William Pieprz  
Reg. No. 33,636